

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

ANTENNAS DIRECT, INC.,

Plaintiff,

vs.

1BYONE PRODUCTS INC.,

Defendant.

Civil Action No.

Honorable

JURY DEMAND REQUESTED

COMPLAINT

Plaintiff, Antennas Direct, Inc., ("Antennas Direct") complains and alleges as follows:

I JURISDICTION

1. This claim arises under the patent laws of the United States (Title 35, United States Code). Jurisdiction is conferred upon this Court by 28 U.S.C. §1331 and §1338(a).
2. Venue is proper in this district pursuant to 28 U.S.C. §1400(a).

II THE PARTIES

3. Antennas Direct is a Missouri corporation having a principal place of business at 16388 Westwoods Business Park, Ellisville, Missouri 63021.

4. On information and belief, Defendant 1byone Products Inc. ("1byone") is a California corporation conducting business within this judicial district with a place of business at 2313 East Philadelphia Street, Unit M, Ontario, California 91761.

5. On information and belief, 1byone has made, used, sold and/or offered to sell, including in this judicial district, the products that are alleged to infringe Antennas Direct's patent discussed below. 1byone also operates a website at 1byone.com at which it advertises the

products that are alleged to infringe Antennas Direct's patents, and from which one can order such products.

III THE PATENT AT ISSUE

6. The patent which is the subject of this action is United States Patent No. 7,839,347, entitled "Antenna Assemblies with Tapered Loop Antenna Elements and Reflectors" ("the '347 patent"). A true and correct copy of the '347 patent is attached as Exhibit 1. Plaintiff Antennas Direct is the assignee of the '347 patent.

IV FIRST CLAIM FOR RELIEF

Patent Infringement Against 1byone

7. Plaintiff realleges each and every allegation set forth in paragraphs 1-6, inclusive, as if fully set forth herein.

8. 1byone makes, uses, sells, offers to sell, and/or imports into the United States products that meet each and every element of one or more of the claims of the '347 patent. As such, 1byone has infringed and continues to infringe the '347 patent.

9. On information and belief, 1byone has had actual or constructive knowledge of the '347 patent before and during their infringement of the '347 patent. On information and belief, 1byone's infringement of the '347 patent has been and/or will continue to be willful, wanton and deliberate with full knowledge and awareness of Antennas Direct's patent rights.

10. Antennas Direct has been damaged in an amount to be determined at trial, but which is no less than a reasonable royalty, and irreparably injured by 1byone's infringing activities. Antennas Direct will continue to be so damaged and irreparably injured unless such infringing activities are enjoined by this court.

11. Moreover, in light of the willful nature of 1byone's conduct, this case should be deemed "exceptional" under the Patent Laws. As a result, in addition to damages, Antennas Direct is entitled to enhanced damages and their attorneys' fees and costs incurred herein.

PRAYER FOR RELIEF

WHEREFORE, Antennas Direct prays for judgment as follows:

- A. That 1byone, their officers, directors, agents, servants, employees, and those persons and entities in active concert or participation with it, or any of them, be preliminarily and permanently enjoined and restrained from further infringement of the '347 patent;
- B. A judgment by the court that 1byone has infringed and is continuing to infringe the '347 patent;
- C. An award of damages for infringement of the '347 patent, together with prejudgment interest and costs, said damages to be trebled by reason of the intentional and willful nature of 1byone's infringement, as provided by 35 U.S.C. § 284;
- D. A determination that this case is "exceptional" under 35 U.S.C. § 285, and an award of Antennas Direct's reasonable attorneys' fees
- E. That any monetary award include pre-and post-judgment interest at the highest rate allowed by law
- F. For costs of suit; and
- G. That Antennas Direct has such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Antennas Direct demands a trial by jury on all issues so triable.

Dated: January 2, 2015

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.



By: _____

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